

Response Deadline: November 1, 2021
Hearing Date: To Be Determined

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO. LTD, *et al.*,¹

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)

(Jointly Administered)

UNIVERSAL LIFE INSURANCE CO.,

Plaintiff,

v.

Adv. Proc. No. 21-01169 (LGB)

GLOBAL GROWTH HOLDINGS, INC., *et al.*,

Defendants.

**NOTICE OF MOTION OF DEFENDANT CHRISTOPHER HERWIG
TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the motion and accompanying memorandum of law (the “Motion to Dismiss”) of Christopher Herwig (“Herwig”) to dismiss the Plaintiff’s First Amended Complaint in its entirety, pursuant to Rules 9(b) and 12(b)(1), (2) and (6) of the Federal Rules of Civil Procedure, made applicable hereto by Rules 7009 and 7012 of the Federal Rules Bankruptcy Procedure, Herwig, by and through his undersigned counsel, shall move before the Honorable Lisa G. Beckerman, United States Bankruptcy Judge, in her Courtroom located at the United States Bankruptcy Court for the Southern District of New York (the

¹ PB Life and Annuity Co., Ltd., Northstar Financial Services (Bermuda) Ltd., Omnia Ltd. and PB Investment Holdings Ltd., foreign Debtors, are Bermuda limited companies which each have a registered address in Bermuda c/o Deloitte Ltd., Corner House, 20 Parliament Street, Hamilton HM 12, Bermuda, and are Jointly Administered for procedural purposes, by Order of this Court entered on April 2, 2021, ECF No. 42.

“Bankruptcy Court”), Courtroom 601, One Bowling Green, New York, New York 10004, **on a date and time to be determined**, for entry of an order approving the Motion to Dismiss and granting such other and further relief as this Court deems just and proper under the circumstances. The hearing will be conducted remotely through Zoom for Government. Parties are required to register to appear at Court hearings using the Bankruptcy Court’s eCourt Appearances tool at the following link: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>. Case participants must check in to confirm their appearance not later than 4:00 p.m., one (1) business day prior to the scheduled hearing date.

PLEASE TAKE FURTHER NOTICE that responses to the Motion to Dismiss, if any, must be in writing, conform with the Bankruptcy Code and the Bankruptcy Rules, state with particularity the grounds therefor, and be filed with the Bankruptcy Court as follows: (i) through the Bankruptcy Court’s electronic filing system, which may be accessed through the internet at the Bankruptcy Court’s website at www.nysb.uscourts.gov, in portable document format (PDF) using Adobe Exchange Software for conversion; or (ii) if a party is unavailable to file electronically, such party shall submit the response in PDF format on a compact disc in an envelope with the case name, case number, type and title of document, document number to which the response refers and the file name on the outside of the envelope, and served upon: (i) counsel for Christopher Herwig, Womble Bond Dickinson (US) LLP, (a) 811 Main Street, Suite 3130, Houston, Texas 77002 (Attn: Todd A. Atkinson, Esq.) and (b) 1313 North Market Street, Suite 1200, Wilmington, Delaware 19801 (Attn: Matthew P. Ward, Esq.); and (ii) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014, with a courtesy copy to the Chambers of the Honorable Lisa G. Beckerman, United States Bankruptcy Judge, at the Bankruptcy Court, One Bowling Green, New

York, New York 10004-1408, so as to be received by no later than November 1, 2021 (the “Response Deadline”).

PLEASE TAKE FURTHER NOTICE that if a response to the Motion to Dismiss is not timely filed and served by the Response Deadline, the relief requested may be deemed unopposed, and the Bankruptcy Court may enter an order granting the relief sought without a hearing.

Dated: October 11, 2021
New York, New York

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